

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SETH QUINTO,

Defendant/Judgment Debtor,

and

NATURAL IMMUNOGENICS,

Garnishee.

NO. 2:15-MC-00152-RSL

(2:07-CR-0410-RAJ-008)

**United States' Motion to Issue
Continuing Garnishee Order**

Note for Motion Calendar:
Friday, January 15, 2016

Plaintiff United States of America (United States), hereby moves the Court to issue a Continuing Garnishee Order to the Garnishee, Natural Immunogenics, pursuant to 28 U.S.C. § 3205(c)(7).

On February 27, 2009, the Court entered a criminal judgment against Defendant/Judgment Debtor, Seth Quinto (Mr. Quinto), for Perjury. Mr. Quinto was sentenced to fifteen months in prison, followed by three years of supervised release, and ordered to pay a Special Assessment of \$100 and a

1 Fine in the amount of \$30,000.00. The remaining balance as of December 24,
2 2015, is \$20,034.45. See Declaration of Dawn Fernandez.

3 On September 30, 2015, the United States filed an Application for Writ
4 of Continuing Garnishment against Mr. Quinto [doc. no. 1]. The Court issued
5 a Writ of Continuing Garnishment to the Garnishee, Natural Immunogenics,
6 on October 6, 2015 [doc. no. 3]. Garnishee Natural Immunogenics filed its
7 Answer on December 4, 2015, establishing that it employs Mr. Quinto and
8 pays him weekly. Doc. no. 8 at 2. Garnishee further indicated that Mr.
9 Quinto's gross wages for the pay period beginning 10/10/15 and ending
10 10/16/15, were \$1,730.77, with net wages of \$1,353.77, after taxes. *Id.*

11 On October 9, 2015, the United States Attorney's Office mailed
12 notification of the Garnishment Proceeding to Mr. Quinto, at his last known
13 address, by U.S. First Class Mail [doc. no. 5]. On October 30, 2015, Mr.
14 Quinto filed an Application for Order to Show Cause, which was subsequently
15 denied by the Court on November 9, 2015. Doc. nos. 6 and 7, respectively.

16 The United States requests that the Court enter a continuing garnishee
17 order, directing Natural Immunogenics immediately to begin paying Mr.
18 Quinto's non-exempt wages to the United States District Court, Western
19 District of Washington. Such non-exempt wages include all monies that
20 Natural Immunogenics previously withheld, in accordance with the Writ of
21 Continuing Garnishment.

22 The United States further requests that the Court direct Natural
23 Immunogenics to make the payments to the *United States District Court*,

1 Western District of Washington, referencing Case Nos. 2:07-CR-0410-RAJ-008
2 and 2:15-MC-00152-RSL, and to deliver such payments either personally or
3 by First Class Mail to:

4
5 United States District Court, Western District of Washington
6 Attn: Financial Clerk – Lobby Level
7 700 Stewart Street
8 Seattle, Washington 98101

9 Such payments, pursuant to a continuing garnishee order, must
10 continue until the debt to the United States is paid in full or until Natural
11 Immunogenics no longer actively employs Mr. Quinto and no longer has
12 possession, custody, or control of any of his property, or until further Order of
13 this Court. At such time, and as appropriate, the United States shall move to
14 dismiss this Continuing Garnishment, unless further funds are identified.

15 DATED this 29th day of December, 2015.

16 Respectfully submitted,

17 ANNETTE L. HAYES
18 United States Attorney

19 s/ Kyle A. Forsyth
20 KYLE A. FORSYTH, WSBA # 34609
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28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am a Paralegal Specialist in the office of the United
3 States Attorney for the Western District of Washington, and am a person of
4 such age and discretion as to be competent to serve papers;
5

6 That on December 29th, 2015, I electronically filed the foregoing with the
7 Clerk of Court using the CM/ECF system, which will send notification of such
8 filing to the attorney(s) of record for the parties;
9

10 That on December 29th, 2015, I caused copies of the United States'
11 Motion to Issue Continuing Garnishee Order, Declaration of Dawn Fernandez,
12 and [proposed] Order to be delivered to the Defendant/Judgment Debtor, Seth
13 Quinto, and the Garnishee, Natural Immunogenics, by placing a copy of said
14 documents in the United States First Class Mail, postage prepaid, addressed
15 as follows:
16

17 Seth Quinto
18 336 Somerset Avenue
19 Sarasota, FL 34243; and

20 Natural Immunogenics
21 Attn: Carol Riggins
22 7504 Pennsylvania Avenue
23 Sarasota, FL 34243

24 Dated this 29th day of December, 2015.

25 s/ Dawn H. Fernandez
26 Dawn H. Fernandez, Paralegal
27 United States Attorney's Office
28 700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
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